

109TH CONGRESS
1ST SESSION

S. 902

To amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2005

Mr. MARTINEZ introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recreational Marine
5 Employment Act of 2005”.

6 **SEC. 2. CLARIFICATION OF RECREATIONAL VESSEL WORK-**
7 **ER EXEMPTION.**

8 The Longshore and Harbor Workers' Compensation
9 Act (33 U.S.C. 901 et seq.) is amended as follows:

1 (1) Section 2 (33 U.S.C. 902) is amended—

2 (A) in paragraph (3)—

3 (i) so that subparagraph (C) reads as
4 follows:

5 “(C) individuals employed by or at, or en-
6 gaged in the construction or maintenance of, a
7 recreational marine facility or structure;” and

8 (ii) so that subparagraph (F) reads as
9 follows:

10 “(F) individuals employed primarily to
11 build, repair, test, maintain, accommodate, buy,
12 sell, store, restore, transport by land, or dis-
13 mantle a recreational vessel;”; and

14 (B) by redesignating paragraph (22) as
15 paragraph (24) and inserting after paragraph
16 (21) the following new paragraphs:

17 “(22) The term ‘recreational marine facility or
18 structure’ means a place used primarily to build, re-
19 pair, test, maintain, accommodate, buy, sell, store,
20 restore, or dismantle recreational vessels.

21 “(23) The term ‘recreational vessel’ means a
22 vessel manufactured primarily for pleasure use.”.

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